

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

DIANE MARIE SHAFFER

Debtor

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CASE NO. 02-11428

DECISION AND ORDER

At Fort Wayne, Indiana, on May 16, 2005

The notice of motion and opportunity to object which debtor (hereinafter “Movant”) served in connection with her Motion to Avoid Judicial Liens does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not adequately “state the relief sought” by the motion. N.D. Ind. L.B.R. B-2002-2(c)(3). The notice does not identify the lienholder whose lien is sought to be avoided or identify the property on which the lien is held.
- b. The certificate of service accompanying the notice indicates that the notice was not served on the creditor whose lien is sought to be avoided, but only on an attorney who has not filed an appearance on behalf of the lienholder in this case. N.D. Ind. L.B.R. B-9013-2(c).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file a proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court